

Cardillo & Corbett
Attorneys for Plaintiff
METAL TRANSPORT AND LOGISTICS LTD., BVI
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Tulio R. Prieto (TP-8455)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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METAL TRANSPORT AND LOGISTICS LTD., BVI, :
: ECF
Plaintiff, : AFFIDAVIT PURSUANT
: TO SUPPLEMENTAL
-against- : RULE B
: 08 Civ. 7361 (LAK)
AGRIKO S.A.S., :
: Defendant. :
-----X

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

TULIO R. PRIETO, being duly sworn, deposes and
says:

1. I am a member of the Bar of this Court and a
member of the firm of Cardillo & Corbett, attorneys for the
Plaintiff herein. I am familiar with the facts of this case
and make this affidavit in support of Plaintiff's prayer for
the issuance of a Writ of Maritime Attachment and Garnishment,
pursuant to Rule B of the Supplemental Rules for Certain
Admiralty and Maritime Claims of the Federal Rules of Civil
Procedure.

2. I have attempted to locate the defendant, AGRICO S.A.S., within this District. As part of my investigation to locate the Defendant within this District, I examined the telephone company information directory, as well as the white and yellow pages of New York listed on the Internet or World Wide Web, and did not find any listing for the Defendant.

3. The database of the office of the New York State Secretary of State was searched to determine if Defendant is qualified to do business in New York, without result.

4. On information and belief, Defendant was, and still is, a foreign corporation, or other business entity, organized under, and existing by virtue of the laws of a foreign country with an address at 70, Av Du General De Gaulle, 9400 Creteil, France.

5. In consequence of these inquiries your deponent believes that the Defendant cannot be found within the Southern District of New York.

6. Upon information and belief, Defendant has, or will have during the pendency of this action, tangible and intangible property within the District in the hands of garnishees including, but not limited to, ABN Amro Bank NV, American Express Bank, Banco Popular, Bank Leumi, Bank of America, Bank of China, Bank of Communications Co. Ltd. New York Branch, Bank of India, Bank of New York, Barclays Bank,

BNP Paribas, Calyon, Citibank, Commerzbank, Deutsche Bank, HSBC (USA) Bank, J.P. Morgan Chase, Standard Chartered Bank, State Bank of India, Societe Generale, UBS AG and/or Wachovia Bank, in the form of accounts and/or fund transfers identified as follows:

- a) accounts in the name of AGRIKO S.A.S., or
- b) electronic funds transfers listing AGRIKO S.A.S., as a beneficiary of the funds transfer, or
- c) electronic funds transfers showing AGRIKO S.A.S., as the remitting party or ordering customer.

7. This is Metal Transport and Logistics Ltd., BVI's first request for this relief.

WHEREFORE, METAL TRANSPORT AND LOGISTICS LTD., BVI respectfully requests that the Court authorize the issuance of process in the form of a Writ of Maritime Attachment and Garnishment seeking attachment and garnishment of AGRIKO S.A.S.'s tangible and intangible property within this District.



TULIO R. PRIETO

Sworn to before me this
19th day of August, 2008


NOTARY PUBLIC

JEAN ELIAS
Notary Public, State of New York
No. 01EL6096474
Qualified in Richmond County
Certificate filed in New York County
Commission Expires July 28, 2011